

NATIONAL MILITARY SERVICE AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the National Military Service Act 1961.

Clause 1 relates to the Short Title.

Clause 2 amends section 12 of the principal Act. At present, persons selected for service are medically examined by Medical Boards. Each Medical Board consists of at least two registered medical practitioners appointed by a Regional Medical Officer with the approval of the Secretary of Labour on the advice of the Medical Committee. The clause provides for the appointment by the Medical Committee of Medical Examiners instead of Medical Boards.

Clause 3 repeals section 14 of the principal Act, and substitutes a new section. The appointment of Medical Examiners will be a function of the Medical Committee, and not of Regional Medical Officers, who at present appoint Medical Boards. Only registered medical practitioners may be appointed Medical Examiners, and each Examiner shall hold office during the pleasure of the Medical Committee. Each Examiner shall exercise his functions in such localities or in respect of such persons as the Medical Committee directs.

Clause 4 repeals section 16 of the principal Act, and substitutes a new section. This amendment is consequential on *clauses 2 and 3* whereby Medical Examiners are appointed by the Medical Committee instead of Medical Boards appointed by Regional Medical Officers.

Clause 5 amends the principal Act in the manner indicated in the Schedule to the Bill. All amendments effected by the Schedule are consequential upon Medical Examiners being appointed by the Medical Committee in place of Medical Boards appointed by Regional Medical Officers.

Clause 6 is a savings clause enabling a Medical Board to continue to exercise its functions, and its members to hold office, until the appointment of a Medical Examiner for the locality or persons or class of persons in respect of which the Board exercises its functions.

Hon. Mr Shand

NATIONAL MILITARY SERVICE AMENDMENT

ANALYSIS

Title	4. Report of Medical Examiner
1. Short Title	5. Consequential amendments
2. Medical Committee	6. Savings
3. Medical Examiners	Schedule

A BILL INTITULED

An Act to amend the National Military Service Act 1961

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,
5 as follows:

1. **Short Title**—This Act may be cited as the National Military Service Amendment Act 1969, and shall be read together with and deemed part of the National Military Service Act 1961* (hereinafter referred to as the principal
10 Act).

2. **Medical Committee**—Section 12 of the principal Act is hereby amended—

(a) By omitting from subsection (4) the words “and to
15 advise the Secretary in the exercise of his functions in relation to the approval of registered medical practitioners for appointment to Medical Boards”, and substituting the words “and to appoint registered medical practitioners as Medical Examiners”:

*1961, No. 116

Amendments: 1964, No. 25; 1968, No. 9

(b) By omitting from subsection (5) the word “their”, and substituting the word “his”; and also by omitting from that subsection the words “and the Secretary”.

3. Medical Examiners—The principal Act is hereby further amended by repealing section 14, and substituting the following section: 5

“14. (1) For the purposes of this Part of this Act the Medical Committee may from time to time appoint such number of Medical Examiners as it thinks fit. 10

“(2) Each Medical Examiner shall be a registered medical practitioner and shall hold office during the pleasure of the Medical Committee.

“(3) Each Medical Examiner shall exercise his function in such localities, or in respect of such persons or classes of persons, as the Medical Committee from time to time directs.” 15

4. Report of Medical Examiner—The principal Act is hereby further amended by repealing section 16, and substituting the following section:

“16. (1) Every person examined by a Medical Examiner shall be placed by the Examiner in one or other of such grades or categories as are for the time being prescribed by the Minister. 20

“(2) The Medical Examiner may give the person examined such information as in his discretion he thinks fit as to the result of his examination and the nature of his report. The Regional Medical Officer shall give full particulars of the report to any registered medical practitioner upon application made with the consent of the person examined or of a parent or guardian of that person. 25 30

“(3) Every report by a Medical Examiner shall be signed by him, and every alteration, erasure, or interlineation shall be initialled by him.

“(4) If any Medical Examiner is in doubt as to any question arising in relation to the examination of any person or as to his report thereon, he shall refer the question to the Regional Medical Officer, whose decision shall be final. 35

“(5) The report of the Medical Examiner, after confirmation by the Regional Medical Officer, shall be forthwith transmitted to the District Office of the Department of Labour nearest to the place of the medical examination.” 40

5. Consequential amendments—The principal Act is hereby further amended in the manner indicated in the Schedule to this Act.

6. Savings—Notwithstanding anything in this Act, the members of any Medical Board holding office at the passing of this Act shall continue to hold office, and the Medical Board of which they are members shall continue to exercise its functions, until the Medical Committee appoints a Medical Examiner for the locality or the persons or classes of persons in respect of which the Medical Board exercises its functions.

SCHEDULE

Section 5

CONSEQUENTIAL AMENDMENTS TO THE PRINCIPAL ACT

Section Affected	Amendment
Section 2	By omitting from the definition of the term "Medical Board" in subsection (1) the word "Board", in both places where it occurs, and substituting in each case the word "Examiner".
Section 15	By omitting from subsection (1) the word "Board", in both places where it occurs, and substituting in each case the word "Examiner"; and by omitting from that subsection the word "it", and substituting the word "he".
Section 43	By omitting the words "Medical Board or"; and by adding the words "or Medical Examiner".
Section 44	By omitting from subsection (2) the words "Medical Board or"; and by inserting in that subsection, after the words "Regional Medical Officer", the words "and Medical Examiner".
Section 45	By omitting from subsection (1) the words "Board or", and substituting the words "Examiner or before any".
Section 56	By omitting from paragraph (a) of subsection (1) the words "Medical Board or"; and by inserting in that paragraph, after the words "Objection Committee", the words "or any Medical Examiner".
Section 57	By omitting from subsection (6) the words "the Chairman of a Medical Board", and substituting the words "a Medical Examiner"; and by omitting from that subsection the word "Board", and substituting the word "Examiner".